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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,177	10/22/2001	Steven D. White	3060	7316

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Law Office of Albert S. Michalik PLLCq  
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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/033,177

Applicant(s)

WHITE ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/20/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 19 August 2004.

#### *Information Disclosure Statement*

2. The references listed on the Information Disclosure Statement submitted on 20 September 2004 have been considered by the examiner (see attached PTO-1449).
3. The application has been examined. Claims 1-24 are pending.

#### *Response to Arguments*

4. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *operable to determine that at least one user of the second service has a role that is a subscriber role of change data in relation to at least one user of the first service ...*) to the claims which significantly affected the scope thereof.

#### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al. (Ferguson), U.S. Patent No. 5,819,092 in view of Helgeson et al. (Helgeson), U.S. Patent No. 6,643,652.

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7. Regarding **independent claim 1**, Ferguson discloses the invention substantially as claimed. Ferguson discloses *in a computer network, a system comprising: a first service for providing access to data based on an associated identity of each user* (Ferguson teaches controlling access to information by utilizing passwords encryption and assigning specific access rights to specific users), [see Ferguson, Col. 11, lines 10-26 and Col. 12, lines 23-27]; *a second service for providing access to data based on an associated identity of each user* (Ferguson teaches having multiple online services having the capability to communicate between each other utilizing a service-to-service protocol as well as further teaching the controlling access to information by utilizing passwords encryption and assigning specific access rights to specific users), [see Ferguson, Col. 11, lines 10-26 and Col. 12, lines 23-27]; *and a communications mechanism configured to exchange information between the first service and the second server* (Ferguson teaches that the script language provides service-to-service communication primitives that allow one online service to act on behalf of the user to query or updated another online service, automatically update another online service without user initiation, pass along automatic user registration to another online services as well as opening up a virtual connection to target services, utilizing service-to-service protocol [see Ferguson, Col. 11, lines 10-26, Col. 28, lines 53-67], *the first service configured as a publisher of change data made by user via the first service, and the second service configured as a subscriber of the change data, and operable to communicate the change data of the first service to the second service using a service-to-service protocol* (Ferguson teaches pass along user registration data to another online service. Ferguson further teaches that the user has access to an options view of a lookup designer, which indicates whether users can submit new entries to a subservice for other users to view), [see Ferguson,

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Col. 11, lines 10-26, Col. 24, lines 55-67 and Col. 25, lines 1-5, Col. 28, lines 53-67]. However, does not disclose determining a role of each subscribing user and filter the data based on each determined role.

8. In the same field of endeavor, Helgeson discloses (e.g., managing data exchange among systems in a network). Helgeson discloses *operable to determine that at least one user of the second service has a role that is a subscriber role of change data in relation to at least one user of the first service* [see Helgeson, Col. 23, lines 43-49, Col. 89, lines 65-69, Col. 90, lines 1-15, Col. 113, lines 23-25].

9. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Helgeson's teachings of managing data exchange among systems in a network with the teachings of Ferguson, for the purpose providing for reliable monitoring of changes to data in external systems [see Helgeson, Col. 2, lines 35-49]. By this rationale **independent claim 1** is rejected.

10. Regarding **claim 2**, Ferguson-Helgeson further discloses *wherein the communicating of the change information comprises a batch of similar change information from the first service to the second service* [see Ferguson, Col. 24, lines 59-64, Col. 28, lines 14-67 and Col. 29, lines 1-14 and Helgeson, Col. 6, lines 53-55]. By this rationale **claim 2** is rejected.

11. Regarding **claim 3**, Ferguson-Helgeson further discloses *wherein the information exchange comprises an asynchronous communication* [see Helgeson, Col. 86, lines 35-52]. By this rationale **claim 3** is rejected.

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12. Regarding **claim 4**, Ferguson-Helgeson further discloses *wherein the information exchange is initiated by the subscriber* [see Ferguson, Col. 24, lines 59-64]. By this rationale **claim 4** is rejected.

13. Regarding **claim 5**, Ferguson-Helgeson further discloses *wherein the information exchange is initiated by the publisher* [see Ferguson, Col. 28, lines 53-56]. By this rationale **claim 5** is rejected.

14. Regarding **claim 6**, Ferguson-Helgeson further discloses *wherein the first service comprises a class of service that is different from the class of service of the second service* [see Helgeson, Col. 6, lines 30-67, Col. 7, lines 1-45].. By this rationale **claim 6** is rejected.

15. Regarding **claim 7**, Ferguson-Helgeson discloses *further comprising a filter operable to filter the change information based on the associated identity of each user* [see Helgeson, Col. 89, lines 65-67 and Col. 90, lines 1-15]. By this rationale **claim 7** is rejected.

16. Regarding **claim 8**, Ferguson-Helgeson further discloses *wherein the communications mechanism is further configured to communicate a response from the second service to the first service in response to the communicating of the change information from the first service to the second service* [see Helgeson, Col. 87, lines 65-67, Col. 88, lines 1-32]. By this rationale **claim 8** is rejected.

17. Regarding **claim 9**, Ferguson-Helgeson discloses *wherein the communications mechanism is further configured to resend the change information from the first service to the second service if the response is not received* [ The Examiner takes Official Notice [see MPEP 2144.03] that it would have been obvious to one of ordinary skill in the networking art at the time the invention was made for the resending of information such change information that

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possible would have reached it's destination for some reason such as error in delivery]. By this rationale **claim 9** is rejected.

18. Regarding **claims 10-23**, the limitations of these claims are substantially the same as that of claims 1-9, and thus are rejected for the same rationale in rejecting claims 1-9 above.

19. **Claim 24** list all the same elements of **claim 16**, but in computer-readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claim 16** applies equally as well to **claim 24**.

#### *Citation of Pertinent Prior Art*

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,480,885, Olivier discloses receiving information by a user based upon certain criteria (profile matching, profile parameters), [see Olivier, Figures 2 thru 12, Col. 3, lines 7-32, Col. 5, lines 1-67, Col. 6, lines 1-63, Col. 10, lines 15-67, Col. 11, lines 8-67, Col. 12, lines 1-54].

#### *Conclusion*

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

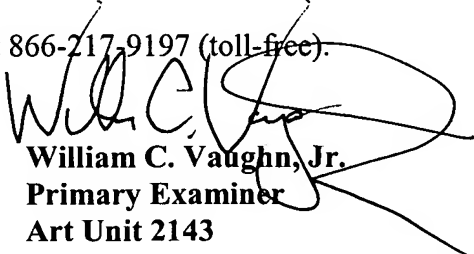
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
William C. Vaughn, Jr.  
Primary Examiner  
Art Unit 2143

WCV